

 **BRANDON SAMPLE**
ATTORNEY AT LAW

Via ECF Filing Only

July 11, 2019

The Honorable Lorna G. Schofield
United States District Judge
Southern District of New York
500 Pearl Street
Daniel Patrick Moynihan U.S. Courthouse
New York, New York 10007

RE: *United States v. Ross William Ulbricht*, No. 14 Cr. 68 (LGS) (S.D. NY)
Reply to Government's Request for Temporary Abeyance (Dkt. 369)

Dear Judge Schofield:

Ross William Ulbricht ("Ulbricht") does not oppose the Government's request for the Court to hold the Government's deadline to respond to Ulbricht's Motion to Vacate in abeyance. (Dkt. 369). Ulbricht agrees that the present circumstances warrant modification of the present July 24, 2019 deadline for the Government's response. (*See* Dkt. 363).

On June 28, 2019, two different Motions to Vacate pursuant to 28 U.S.C. § 2255 were filed on Ulbricht's behalf. (*See* Dkt. 359 and Dkt. 361-362). Undersigned counsel conferred with counsel for the Government and subsequently filed Ulbricht's Unopposed Motion to Substitute Counsel. (Dkt. 365).

Ulbricht authorizes and consents to the requested substitution of undersigned counsel in place of attorney Paul Grant. In order to dispel any further confusion regarding this matter, Ulbricht provides the Court with a copy of his personally signed written consent as Exhibit A to this letter. Ulbricht requests the Court grant his previously submitted substitution motion.

At the same time, undersigned counsel notified the Government of Ulbricht's intention to seek leave to file an amended motion to vacate in order to consolidate the pending motions before the Court. Counsel for the Government indicated to Ulbricht that they are not opposed to Ulbricht's planned request for leave to amend his motion to vacate.

Ulbricht is now seeking permission from the Court to file his amended motion to vacate no later than September 30, 2019. Ulbricht believes that the requested extension of time will allow him to present the Court with a single cogent presentation of his claims for relief and their factual bases.

Ulbricht is currently serving multiple sentences of life imprisonment. There would be no prejudice caused by the Court granting Ulbricht's request for leave to amend in this case. Further, this would allow the Government to respond to only one final amended motion to vacate and clear any doubt about the disputed issues.

Ulbricht respectfully asks that the Court allow him to exercise his right to proceed with counsel of his choosing in this matter.¹ Additionally, Ulbricht agrees that the Government's current deadline to respond should be abated. Ulbricht requests permission to file an amended motion to vacate under 28 U.S.C. § 2255 no later than September 30, 2019.

The Court's consideration of Ulbricht's requests in this matter is greatly appreciated.

Respectfully submitted,

/s/ Zachary L. Newland
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Attorney for Ross William Ulbricht

Encl. (1x)

ZLN/

cc: All counsel of record, via ECF notification, w/encl.
Mr. Ross William Ulbricht
File

¹ Although Ulbricht wishes to proceed with Zachary Newland as his new counsel: (1) Ulbricht does not wish to withdraw the discovery motion previously filed by Paul Grant. (*See* Dkt. 343). Ulbricht respectfully urges the Court to decide that motion; (2) Ulbricht does not waive his right to re-engage Paul Grant or hire other counsel at a later date should he so decide; and (3) if the Court were to deny the requested extension of time to file an amended § 2255 motion, Ulbricht asks the Court to treat Dkt. 355 through Dkt. 359 as the operative § 2255 motion.